

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CORA UPSHAW,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.:2:07-CV-612-WHA
)	
R. JAMES NICHOLSON,)	
Secretary of Veterans Affairs,)	
Department of Veterans Affairs,)	
)	
Defendant.)	

MOTION FOR EXTENSION OF TIME

Comes now the defendant, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to Rules 6(b) and 12 of the Federal Rules of Civil Procedure moves the Court for a 30-day extension of time, to and including October 3, 2007, within which to file an answer or other response in the above-styled case.

In support of this motion, counsel shows unto the Court the following:

1. The litigation report has not been received from Veterans Affairs counsel. It is anticipated the litigation report will not be received within enough time to prepare an adequate response in this matter by the current deadline of September 3, 2007.
2. The litigation report is essential in the compilation of the answer or other response.
3. Counsel for the plaintiff has been advised of this request for an extension of time and has no objection.

WHEREFORE, the Defendant respectfully requests a 21-day extension, to and including October 3, 2007, within which to file an answer or other response in this matter.

Dated this 27th day of August, 2007.

LEURA G. CANARY
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to plaintiff's Attorney, Michael Guy Holton, Esquire.

/s/ James J. DuBois
Assistant United States Attorney